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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC PRIORITY 9104
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 2050
RUEHNE/AMEMBASSY NEW DELHI 5525
RUEHUL/AMEMBASSY SEOUL 9121
RUEHKO/AMEMBASSY TOKYO 6698
RUEAIIA/CIA WASHDC
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 4508
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 2501
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

UNCLAS RANGOON 000358

SENSITIVE
SIPDIS

STATE FOR EAP, IO, AND CA/OCS/ACS/EAP; PACOM FOR FPA

E.O. 12958: N/A
TAGS: [CASC](#) [PGOV](#) [PHUM](#) [PREL](#) [BM](#)
SUBJECT: BURMA: ASSK TRIAL AND APPEAL POSTPONED

REF: A. RANGOON 346
[1](#)B. RANGOON 335

Summary

[1](#)1. (SBU) At a brief hearing on June 12, judges in the trial of Aung San Suu Kyi (ASSK), her two aides, and Amcit John Yettaw announced another delay in the resumption of the proceedings until June 26. On June 11, Supreme Court staff informed ASSK's legal team that the high court has postponed oral arguments in her appeal, just hours after initially scheduling them for June 17. No new date was given. Vice Consul attended today's trial court session, but was not permitted to speak with Mr. Yettaw. However, Vice Consul saw all four defendants in court and reported they looked healthy and alert. We are awaiting a response to our request for consular access to Mr. Yettaw on June 13. End Summary.

Trial Court Postpones Until June 26

[1](#)2. (SBU) On June 12, the trial court at Insein prison convened briefly to announce a further delay the continuation of the trial of Aung San Suu Kyi, her two assistants, and John Yettaw. The next session is now scheduled for June 26. The trial court did not conduct any other business. Lawyers for ASSK and Yettaw both commented that, given the nature of this case, they could not predict what would happen when the trial court reconvenes or how much longer the trial will last.

Supreme Court Postpones Appeal Hearing

[1](#)3. (SBU) On the evening of June 11, Supreme Court staff informed ASSK's legal team that the high court has postponed oral arguments originally scheduled for June 17; no new date was given. Earlier that day, the court had provided the June 17 date (ref A), but clearly something changed. Nyan Win said the court gave no reason for the sudden postponement, and he declined to speculate as to the motivation behind the move. Judges at the June 12 trial court session confirmed the postponement of the appeal hearing.

Consular Access to Yettaw

¶4. (SBU) Vice Consul and a consular staff member attended the June 12 trial court session, but were not allowed to speak with Mr. Yettaw. However, Vice Consul saw all four defendants in court and reported they looked healthy and alert. Through his attorney, Mr. Yettaw passed a message to his family in the United States which we will convey. Mr. Yettaw's attorney told us he has convinced Yettaw not to read to the court a handwritten statement regarding his motivations and perceptions of the incident (ref B).

¶5. (SBU) After the proceedings concluded, Vice Consul spoke with an official from the Ministry of Home Affairs to press our formal request for consular access to Mr. Yettaw on June

¶13.
DINGER